



BASKETBALL NEW BRUNSWICK

CODE OF CONDUCT AND ETHICS

(Adapted from Canada Basketball)

Definitions

1. The following terms have these meanings in this Code:

- a) *“Abuse”* – As defined in BNB’s *Abuse Policy*.
- b) *“Discrimination”* – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability.
- c) *“Individuals”* – All categories of membership defined in Basketball New Brunswick (BNB) Bylaws, as well as all individuals engaged in activities with BNB, including but not limited to, National Participants, athletes, coaches, officials, directors, officers, volunteers, committee members, parents and spectators, managers and administrators.
- d) *“Harassment”* – A course of vexatious comment or conduct against an Individual or group, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
 - i. Written or verbal abuse, threats, or outbursts;
 - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
 - iii. Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
 - iv. Leering or other suggestive or obscene gestures;
 - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
 - vi. Practical jokes which endanger a person’s safety, or may negatively affect performance;
 - vii. Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual’s positive development, but is required to be accepted as part of a team or group, regardless of the junior-ranking individual’s willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
 - viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
 - ix. Deliberately excluding or socially isolating a person from a group or team;
 - x. Persistent sexual flirtations, advances, requests, or invitations;
 - xi. Physical or sexual assault;
 - xii. Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
 - xiii. Retaliation or threats of retaliation against a person who reports harassment to BNB.
- e) *“Sexual Harassment”* – A course of vexatious comment or conduct against an Individual because of sex, sexual orientation, gender identify or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual

solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the Individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:

- i. Sexist jokes;
 - ii. Threats, punishment, or denial of a benefit for refusing a sexual advance;
 - iii. Offering a benefit in exchange for a sexual favour;
 - iv. Demanding hugs;
 - v. Bragging about sexual ability;
 - vi. Leering (persistent sexual staring);
 - vii. Sexual assault;
 - viii. Display of sexually offensive material;
 - ix. Distributing sexually explicit messages or attachments such as pictures or video files;
 - x. Sexually degrading words used to describe an Individual;
 - xi. Unwelcome inquiries into or comments about an Individual's gender identity or physical appearance;
 - xii. Inquiries or comments about an Individual's sex life;
 - xiii. Persistent, unwanted attention after a consensual relationship ends;
 - xiv. Persistent unwelcome sexual flirtations, advances, or propositions; and
 - xv. Persistent unwanted contact.
- f) *"Workplace"* - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, BNB's office, work-related social functions, work assignments outside BNB's offices, work-related travel, the training and competition environment, and work-related conferences or training sessions
- g) *"Workplace Harassment"* – Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
- i. Bullying;
 - ii. Workplace pranks, vandalism, bullying or hazing;
 - iii. Repeated offensive or intimidating phone calls or emails;
 - iv. Inappropriate sexual touching, advances, suggestions or requests;
 - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
 - vi. Psychological abuse;
 - vii. Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
 - viii. Deliberately withholding information that would enable a person to do his or her job, perform or train;
 - ix. Sabotaging someone else's work or performance;
 - x. Gossiping or spreading malicious rumours;
 - xi. Intimidating words or conduct (offensive jokes or innuendos); and
 - xii. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
- h) *"Workplace Violence"* – the use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:
- i. Verbal or written threats to attack;
 - ii. Sending to or leaving threatening notes or emails;

- iii. Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
- iv. Wielding a weapon in a Workplace;
- v. Hitting, pinching or unwanted touching which is not accidental;
- vi. Dangerous or threatening horseplay;
- vii. Physical restraint or confinement;
- viii. Blatant or intentional disregard for the safety or wellbeing of others;
- ix. Blocking normal movement or physical interference, with or without the use of equipment;
- x. Sexual violence; and
- xi. Any attempt to engage in the type of conduct outlined above.

Purpose

- 2. The purpose of this Code of Conduct and Ethics is to ensure a safe and positive environment within BNB programs, activities and events, by making all individuals aware that there is an expectation of appropriate behaviour consistent with the values of BNB. BNB supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect and fairness.

Scope and Application

- 3. This code applies to the Individuals defined above, relating to conduct that may arise during the course of BNB business, activities and events, including but not limited to, office environment, competitions, practices, tournaments, training camps, social media, travel, and any work-related meetings.
- 4. An Individual who violates this Code may be subject to sanctions pursuant to BNB's *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to BNB's *Discipline and Complaints Policy*, an Individual who violates this Code during a competition may be ejected from the competition or the playing area, the official may delay the competition until the Individual complies with the ejection, and the Individual may be subject to any additional discipline associated with the competition.
- 5. An employee of BNB found to have engaged in acts of violence or harassment against any other employee, worker, contractor, member, customer, supplier, client or other third party during business hours, or at any event of BNB, will be subject to appropriate disciplinary action subject to the terms of BNB's *Personnel Policy* as well as the employee's Employment Agreement (if applicable).
- 6. This Code also applies to Individuals' conduct outside of BNB's business, activities, and events when such conduct adversely affects relationships within BNB (and its work and sport environment) and is detrimental to the image and reputation of BNB. Such applicability will be determined by BNB at its sole discretion.

Responsibility

- 7. Individuals have a responsibility to:
 - a) Maintain and enhance the dignity and self-esteem of BNB Members and other Individuals by:
 - i. Treating each other with the highest standards of respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees and members.
 - iii. Consistently demonstrating the spirit of sportsmanship, sports leadership and ethical conduct.
 - iv. Acting, when appropriate, to prevent or correct practices that are unjustly discriminatory.
 - v. Consistently treating individuals fairly and reasonably.
 - vi. Ensuring that the rules of the sport, and the spirit of such rules, are adhered to.
 - b) Refrain from any behaviour that constitutes Harassment, Workplace Harassment, Sexual Harassment, Workplace Violence, Abuse, or Discrimination

- c) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, BNB adopts and adheres to the Canadian Anti-Doping Program. Any infraction of such Program shall be considered an infraction of this Policy and shall be subject to disciplinary action, and possible sanction, pursuant to BNB's *Discipline and Complaints Policy*. BNB will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by BNB or any other sport organization.
- d) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision of the sport, who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES)
- e) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- f) Refrain from consuming tobacco products, or recreational drugs while participating in BNB's programs, activities, competitions, or events
- g) In the case of minors, refrain from consuming alcohol, cannabis or tobacco products while participating in BNB programs or events
- h) Use social media responsibly and strategically, modeling appropriate behaviour expected of representatives of BNB.
- i) In the case of adults, not consume cannabis in the Workplace or in any situation associated with BNB's events (subject to any requirements for accommodation), not consume alcohol during competitions and in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with BNB's events
- j) Respect the property of others and not willfully cause damage.
- k) When driving a vehicle with an Individual:
 - i. Not have his or her license suspended;
 - ii. Not be under the influence of alcohol or illegal drugs or substances; and
 - iii. Have valid car insurance.
- l) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods.
- m) Always comply with the Bylaws, policies, rules and regulations of BNB, as adopted and amended from time to time.
- n) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition.
- o) Adhere to all Federal, Provincial, Municipal or host country laws.
- p) Comply, at all times, with the bylaws, policies, procedures, and rules and regulations of Basketball Canada, as applicable and as adopted and amended from time to time.
- q) Report any ongoing criminal investigation, conviction, or existing bail conditions involving an Individual to Basketball Canada, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal substance.
- r) Not engage in a sexual relationship with an Individual under the age of majority.
- s) Not engage in a sexual or intimate relationship with a person of any age in which an Individual is in a position of trust or authority.

Board/Committee Members and Staff

8. In addition to section 7 (above), Board and Committee Members will:
 - a) Function primarily as a member of the board and/or committee(s) of BNB; not as a member of any other particular member or constituency.
 - b) Act with honesty and integrity and conduct himself or herself in a manner consistent with the nature and responsibilities of BNB business and the maintenance of Member confidence.
 - c) Ensures that the financial affairs of BNB are conducted in a responsible and transparent manner with due regard for his or her fiduciary responsibilities.
 - d) Conduct themselves openly, professionally, lawfully and in good faith in the best interests of BNB.

- e) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward or fear of criticism.
- f) Behave with decorum appropriate to both circumstance and position and be fair, equitable, considerate and honest in all dealings with others.
- g) Keep informed about the activities of BNB, the sport community, and general trends in the sectors in which it operates.
- h) Exercise the degree of care, diligence and skill required in the performance of his or her duties pursuant to the laws under which BNB is incorporated.
- i) Respect the confidentiality appropriate to issues of a sensitive nature.
- j) Ensure that all Individuals are given sufficient opportunity to express opinions, and that all opinions are given due consideration and weight.
- k) Respect the decisions of the majority and resign if unable to do so.
- l) Commit the time to attend meetings and to be diligent in preparation for, and participation in, discussions at such meetings.
- m) Have a thorough knowledge and understanding of all BNB governance documents.
- n) Conform to the bylaws and policies approved by BNB

Coaches

9. In addition to section 7 (above), coaches have additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, consciously or unconsciously. Coaches will:
- a) Meet the highest standards of credentials, integrity and suitability, including but not limited to such considerations established by BNB Screening Policy, so that the community is satisfied it has minimized the risk of an unsafe environment.
 - b) Report any ongoing criminal investigation, conviction or existing bail conditions, including those for violence; child pornography; or possession, use or sale of any illegal substance.
 - c) Under no circumstances provide, promote or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances and, in the case of minors, alcoholic beverages, cannabis and/or tobacco.
 - d) Respect all other teams and athletes from other teams and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless first receiving approval from the coach who is responsible for the team or athlete(s) involved.
 - e) Recognize the power inherent in the position of coach and respect and promote the rights of all participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of participants who are in a vulnerable or dependent position and less able to protect their own rights.
 - f) Dress professionally, neatly and inoffensively.
 - g) Use offensive language, taking into account the audience being addressed.

Athletes

10. In addition to section 7 (above), athletes will have additional responsibilities to:
- a) Report any medical problems in a timely fashion, where such problems may limit the athlete's ability to travel, train or compete.
 - b) Participate and appear on time, well-nourished and prepared to participate to one's best abilities in all competitions, practices, training sessions, events, activities, or projects.
 - c) Properly represent oneself and not attempt to enter a competition for which one is not eligible, by reason of age, classification, or other reason.
 - d) Adhere to BNB's rules and requirements regarding clothing and equipment
 - e) Never ridicule a participant for a poor performance or practice.
 - f) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other players, officials, coaches, or spectators.

- g) Dress in a manner representative of BNB with focus being on neatness, cleanliness, and discretion. Designated official clothing, if applicable, must be worn when traveling and competing.
- h) Act in accordance with BNB's policies and procedures and, when applicable, additional rules as outlined by coaches or chaperones.

Officials

11. In addition to paragraph 7 (above), officials will have additional responsibilities to:
- a) Maintain and update their knowledge of the rules and rules changes.
 - b) Work within the boundaries of their position's description while supporting the work of other officials.
 - c) Act as an ambassador of BNB by agreeing to enforce and abide by national and provincial rules and regulations.
 - d) Take ownership of actions and decisions made while officiating.
 - e) Respect the rights, dignity, and worth of all Individuals.
 - f) Not publicly criticize other officials or any club or association.
 - g) Act openly, impartially, professionally, lawfully, and in good faith.
 - h) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others.
 - i) Respect the confidentiality required by issues of a sensitive nature, which may include ejections, defaults, forfeits, discipline processes, appeals, and specific information or data about Individuals.
 - j) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform the assignor or association at the earliest possible time.
 - k) When writing reports, set out the actual facts.
 - l) Dress in proper attire for officiating.

Parents/Guardians and Spectators

12. In addition to section 7 (above), parents/guardians and spectators at events will:
- a) Encourage athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence.
 - b) Condemn the use of violence in any form.
 - c) Never ridicule a participant for making a mistake during a performance or practice.
 - d) Provide positive comments that motivate and encourage participants' continued effort.
 - e) Respect the decisions and judgments of officials, and encourage athletes to do the same.
 - f) Never question an official's or staff member's judgment or honesty.
 - g) Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm.
 - h) Respect and show appreciation to all competitors, and to the coaches, officials and other volunteers.
 - i) Not harass competitors, coaches, officials, parents/guardians, or other spectators.

Review and Approval

13. This Policy was reviewed and approved by the BNB Board of Directors on June 4th, 2020.